

CRAIG ALFORD  
PETITIONER

DOCKET # \_\_\_\_\_

v.

WARDEN DAVID PELCHISHEN

[Monroe County Court Docket #  
929-CR-2020]

FILED  
SCRANTON

EMERGENCY HEARING

OCT 19 2020

WRIT OF HABEAS CORPUS

PER AMY T.  
DEPUTY CLERK THE HONORABLE JUDGES OF SAID COURT:

AND NOW, WISE CRAIG ALFORD, PRO SE PETITIONER, RESPECTFULLY ASK TO BE HEARD AND THE GRANT OF A WRIT OF HABEAS CORPUS AND GIVE AN EMERGENCY HEARING BY (ACT) ADVANCE COMMUNICATION TECHNOLOGY, AND ASK THE FOLLOWING IN SUPPORT THEREOF:

- 1) PETITIONER WAS CHARGED WITH POSSESSION OF A WEAPON OUT OF MONROE COUNTY AND START A SELF-DEFENSE CASE OF HIS LIFE AND OTHERS...
- 2) PETITIONER WAS PLACED IN MONROE COUNTY JAIL WITH AN EXCESSIVE BAIL (AS THE D.A. OFFICE ACKNOWLEDGE THIS IS A SELF-DEFENSE CASE) OF \$100,000 CASH ON 6.7.20
- 3) INFORMATION WAS FILED 6.29.20 AND PURSUANT TO PA. R. CRIM. P. § 57(A) - ARRANGEMENT WAS TO TAKE PLACE IN 10 DAYS... UNLESS OBJECTED (NO GOOD CAUSE SHOWN OR CONTINUANCES REQUESTED) THE MONROE COUNTY COURT BEES TO ARRANGE 9.2.20 MORE THAN 8 TIMES THE USUAL MAXIMUM, ALFORD CHALLENGED THIS STATE STATUTE (PA. R. CRIM. P. § 57(A)) AS UNCONSTITUTIONAL TO 28 U.S.C. § 2403(b) THAT A AFFECTS THE PUBLIC INTEREST... DUE TO THIS DUE PROCESS AND EQUAL

PROSECUTION (CASE VIOLATED (SEE 14TH AMENDMENT OF THE U.S. CONSTITUTION) SOUGHT DISCREET AS A U.S. CITIZEN WHO WAS DEPRIVED OF FEDERALLY PROTECTED RIGHTS, PRIVILEGES AND IMMUNITIES...

4.) THE ATTORNEY ~~LEONARD~~ <sup>JOSH</sup> SHAPIRO WAS ALSO NOTIFIED...

5.) PETITIONER FILED A PETITION, ~~EXHAUSTED~~ HIS REMEDIES WITH MONROE COUNTY AUTHORITIES, AND FILED A 1983 CIVIL RIGHTS COMPLAINT (CLASS ACTION) AS INDICES HAVE ALSO BEEN CONFIRMED IN EXCESSIVE CONFIDENTIALITY TO P.A.R.C. (P. 3600(B)(1)(5), (C)(1)(5)), WE SOUGHT REDRESS WHEN THE COURT FAIL TO SETH ELLS, AND SOUGHT REDRESS FROM OUR GRIEVANCES...

6.) THERE IS NO LAW LIBRARY PRESENT IN THE U.S. SUPREME COURT'S DECISION SO I FILED A CIVIL RIGHTS COMPLAINT @ ALTONS V. HADOU, et al. # 1:20-cv-1427 BECAUSE THERE DEFICIENCIES, NO TYPEWRITER, PRINTER, WORD PROCESSORS, NO WAY TO CONFIDENTIALLY PRINT WORKS DOWN TO BY HAND SO THIS 1983 FOLLOWED... BEFORE "THE HONORABLE JUDGE JOHN E. JONES III - CHIEF JUDGE U.S. DISTRICT COURT - MIDDLE DISTRICT (PA)... @ MONROE COUNTY..."

7.) AS A CLASS PLAINTIFFS SOUGHT 1983 FOR EXCESSIVE CONFIDENTIALITY AND VIOLATION OF CON. 8th AND 14th AMENDMENTS RIGHTS @ LEAH, et al. V. BAYLOR, et al. # 1:20-cv-1787... THE HON. JOHN E. JONES III - CHIEF FEDERAL JUDGE PRESIDENT... SEEKING COMPENSATORY AND PUNITIVE DAMAGES FOR CIVIL RIGHTS VIOLATION... ALSO NOTIFIED IS (ACLU, U.S. DEPARTMENT OF JUSTICE, NAACP, JUDICIAL BOARD CONDUCT, FBI, ~~LEONARD~~ <sup>JOSH</sup> SHAPIRO, MONROE COUNTY...

COURTHOUSE... JUDGES FAILING TO UPHOLD THE ORDER OF THE  
 TO 42 P.C.S.A. § 351, JUDGES VIOLATING ARTICLE (1) AND  
 (2) RULES, LAWYERS NOT UPHOLDING THE RULES OF  
 PROFESSIONAL CONDUCT, JUDGES ALLOWING PROSECUTORIAL  
 MISCONDUCT AND COMMITTING CIVIL RIGHTS CRIMES -  
 (SEE 18 CRIMES AND CRIMINAL PROSECUTIONS... PART 1 CRIMES  
 CHAPTER 13 - CIVIL RIGHTS, § 241 CONSPIRACY AGAINST  
 RIGHTS AND/OR 42 U.S.C. § 1985 (X)(3) - CONSPIRACY TO  
 INTERFERE WITH CIVIL RIGHTS) AS THESE AUTHORITIES

CONSPIRE TO OPPRESS, INTIMIDATE, INJURE, THREATEN, ALL  
 BECAUSE WE EXERCISED A CONSTITUTIONAL RIGHT AS  
U.S. CITIZENS BECAUSE WE WAS DEPRIVED, EITHER DIRECTLY  
 OR INDIRECTLY OF A CLASS OF PERSONS THE EQUAL PROTECTION  
 OF THE LAW, VIOLATE OF DUE PROCESS, <sup>INTENDED</sup> CRUEL AND UNUSUAL  
 PUNISHMENTS, LAWYERS (P.D.s) NOT BEING ABLE TO COUNSEL, THAT  
 IF NOT FOR THEIR ERRORS OUR OUTCOME WOULD BE  
 DIFFERENT (GROSS INEFFECTIVE ASSISTANCE OF COUNSEL) EXCESSIVE  
 BAIL AND TO ACT IN FURTHERANCE OF CONSPIRACY WHERE  
 PERSON OR PROPERTY OR DEPRIVED OF ANY RIGHT OR  
 PRIVILEGES OF CITIZENS OF THE U.S. WAS UNCONSTITUTIONAL

8) TO FURTHER ADD RESULT TO INJURY, I WAS TRANSFERRED FROM  
 "MONROE COUNTY" TO "NORFOLK COUNTY" WITHOUT DUE PROCESS  
 AND MORE OF A "RETALIATORY MOVE" BETWEEN BOTH COUNTIES  
 NOW (AS I NEVER BEEN IN THIS COUNTY, AND HAVE NO CRIMES/  
 CRIMES WERE TRIED TO TRANSFER MY BODY TO THE JAIL (AS  
 I'VE BEEN UNPROSECUTED) AND ONLY EXAGGERATE OUR REBATES  
 TO THE COURT BY FILING PROPER PAPERS (CLOCK OF CASES  
 NOT PUTTING FILINGS OR FILINGS TO P.R. CRIM. P. § 576)  
 AND THIS GROSS RETALIATION BECAUSE I WAS THE  
 AUTHOR FOR THE CASE AS WE HAVE DOES FOR THE

Hon. JUDGE JOHN E. JONES III AND THIS REGULATION IS TO IMPRISON US (IMPRISON) AS SOME PEOPLE ARE UNLAWFUL, KNOW NO LAW AT ALL, AND TO UNLAWFULLY TAKE MY BODY FROM M.C.C.F. TO NORFOLK PRISON COUNTRY FOR UNJUST, UNLAWFUL FOR, UNPREDICTABLE, UNEXPECTED PERSONS BUT MADE TO HABEAS CORPUS (AS MR. JONES III IS NOTIFIED) ... I RESPECTFULLY ASK THIS COURT TO INTERFERE, IT'S NOT THE COURT'S RIGHT, AND WITH WRITS OF HABEAS CORPUS / 1983 CIVIL RIGHTS ACT / PUBLIC LAW 97-147 AND ALL IN MARRIAGE COUNTRY AND THE U.S. DISTRICT COURT I AM OUT OF JURISDICTION. I HAVE NO RIGHT TO BE HERE AT ALL SO 7X DOES NOT APPLY SO I ASK THE COURT FOR THE "GRANT" OF A WRIT OF HABEAS CORPUS FOR THE NORFOLK PRISON COUNTRY STARTING TO "IMMEDIATELY" TRANSFER ME BACK TO "MARRIAGE COUNTRY JAIL - C.P.D. CELL #32 POPULATION"; WHERE I WAS AT UNPREDICTABLE AND GRANT AN EMERGENCY HEARING TO BRING MY BODY TO THE COURT TO FURTHER EXPLAIN AND TO SUBMIT DOCUMENTS SHOWING AND PROVIDE MY CONFIDENTIALITY (THIS JAIL IS UNLAWFUL, UNCONSTITUTIONAL, AND CIVIL RIGHTS VIOLATIONS ...

WHEREFORE, PETITIONER PRAYS, THAT THE COURT GRANT A WRIT OF HABEAS CORPUS, INSTRUCT NORFOLK PRISON COUNTRY STARTING TO RETURN ME TO M.C.C.F. FOR THE UNJUST VIOLATIONS OF RIGHTS / REGULATION TODAY DUE TO I AM OUT OF JURISDICTION AND MY DUE PROCESS RIGHTS WAS VIOLATED. OR WHATEVER THE COURT DEEMS JUST.

4. 10-10-20

By: Gary Allen  
GARY ALLEN

# MONROE COUNTY PUBLIC DEFENDER

701 MAIN STREET, SUITE 301  
STROUDSBURG, PENNSYLVANIA 18360

Telephone (570) 517-3042 Fax (570) 517-3871 Office Hours 8:30 a.m. - 4:30 p.m.

## ATTORNEYS

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ERIC CLOSS  
GERALD BRUNELL  
ROBERT BARCHIESI

## INVESTIGATORS

JOHN KOWALCZYK  
DOUGLAS LOCKARD

## PARALEGAL

LAUREN M. COCKLEY

June 22, 2020

Mr. Alford,

18 PA-C.S.A. §502  
§505(a)

While I understand your argument about self-defense, this section of 505 specifically says it does not apply to you.

READING  
STATUTE  
WRONG...

(2.3) An actor who is not engaged in a criminal activity, **who is not in illegal possession of a firearm** and who is attacked in any place where the actor would have a duty to retreat under paragraph (2)(ii) has no duty to retreat and has the right to stand his ground and use force, including deadly force, if:

DON'T NOT APPLY...

As you were a person not to possess, you were in illegal possession of a weapon. Not knowing all facts with your case, I was going to attempt to get your "confession" thrown out. However, now that you insisted on testifying at your preliminary hearing, you have admitted to the MDJ and the DA that you were in possession of a gun. No matter what the reason, illegal possession is not covered under self-defense.

If you were listening during the preliminary hearing I did ask if the Detective was able to make a determination as to who fired first. He did say your brother. He could not remember if you said you were protecting your girlfriend, but he did say yes others were present.

SELF-DEFENSE

So I was getting your self-defense position out to the court and to the District Attorney, however, unless I can find something more specific, the fact that you were in possession of the gun illegally negates your position.

### The District Attorney has stated:

The offer is an F-3 Possession F/A w/o a license, assuming he is a PRS 5, and an agreed sentence of 5-10.

Your PRS is not a 5, I have been told you are a RFEL. Also, an F-3 has a max of 7 years so he cannot get 5-10. You would get a max sentence of 3 ½ - 7.

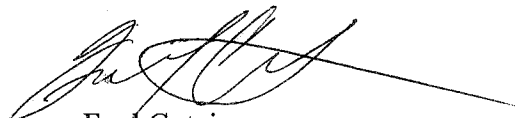
I will argue to him that because this is a self-defense case and defense of others that lowering to misdemeanor would be appropriate. But because of your PRS, it would still be 2 ½ -5, max for an M-1.

DA. ADMIT IT'S SELF-DEFENSE...

ATTORNEY  
DON'T KNOW  
THE LAW  
I HAVE TO  
ADMIT TO BRING DEFENSE

If you want to go to trial and if a jury does not think you should be cleared because of the self-defense, you would be facing a 7 year minimum if convicted.

Respectfully,

A handwritten signature in black ink, appearing to read 'Fred Cutaio', with a long horizontal line extending to the right.

Fred Cutaio  
Assistant Public Defender

TAKE (12)



CLAY ALFORD #32335  
COUNTY OF NORTHAMPTON  
Northampton County Jail  
666 Walnut Street  
Easton, Pennsylvania 18042

neopost<sup>®</sup> FIRST-CLASS MAIL  
10/15/2020  
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THE HONORABLE JUDGE JOHN E. JONES III  
CHIEF JUDGE

UNITED STATES DISTRICT COURT  
235 N. WASHINGTON AVE.

JCT 19 2020

PO BOX 1148  
SCRANTON, PA 18501-1148

PEF DEPUTY CLERK

**INMATE MAIL** This correspondence is from  
a County Jail and the sender is an inmate.  
The contents have not been evaluated.  
Northampton County Jail is not responsible  
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